

**CONTINUATION OF A CRIMINAL COMPLAINT**

I, Marcel Behnen, being duly sworn, state as follows:

**Introduction and Background**

1) This continuation is made in support of a criminal complaint to authorize the arrest of Marquice Ebon CHANCE for possession with intent to distribute controlled substances, in violation of 21 U.S.C §§ 846, 841(a)(1), and illegally possessed a firearm as convicted felon, in violation of 18 U.S.C § 922(g)(1), on or about January 17, 2024, in Kalamazoo County, in the Western District of Michigan. This continuation is made for the limited purpose of establishing probable cause and does not include each and every fact known by me or the government.

2) I am a Task Force Officer with the United States Drug Enforcement Administration, United States Department of Justice and have been so since March 2019. I have been a police officer with the Kalamazoo Department of Public Safety (KDPS) for more than 15 years, the last 7 of which I have been assigned as an investigator with the Kalamazoo Valley Enforcement Team (KVET), which is tasked with investigating narcotics trafficking. I am currently assigned to the Grand Rapids District Office in the DEA's Detroit Field Division. During my time as a Task Force Officer, I have participated in investigations of unlawful drug trafficking and money laundering and, among other things, have conducted or participated in surveillance, the execution of search warrants, debriefings of informants, reviews of taped conversations and drug records, and have

participated in investigations that included the interception of wire and electronic communications. Through my training, education and experience, I have become familiar with the manner in which illegal drugs are transported, stored, and distributed, the methods of payment for such drugs, the laundering of narcotics proceeds, and the dialect, lingo, and coded language used by narcotics traffickers. As a DEA Task Force Officer, I am charged with investigating controlled substance violations under Title 21, including charges of possession with intent to distribute controlled substances in violation of Title 21, United States Code, Section 841. These investigations also involve the investigation of weapons offense violations under Title 18, including charges of being a felon in possession of a firearm or possession of a firearm in furtherance of a drug trafficking offense. In my training and experience, drug traffickers commonly have in their possession, either on their person or at their residence, firearms. These firearms are used to protect and secure the proceeds and products of drug trafficking and the drug trafficker herself.

3) The information set forth in this criminal complaint is based on my personal knowledge gained from my participation in this investigation and my review of other law enforcement officers' reports, including reports of witness and suspect interviews.

4) I respectfully submit that the facts set forth in this criminal complaint establish probable cause to believe that on or about January 17, 2024, in Kalamazoo County in the Southern Division of the Western District of Michigan,

Marquice Ebon CHANCE: knowingly and intentionally possessed with intent to distribute controlled substances, in violation of 21 U.S.C §§ 846, 841(a)(1), at his residence at 4558 Pinefield Ave, Portage, MI, illegally possessed a firearm as convicted felon, in violation of 18 U.S.C § 922(g)(1) while driving his rental 2023 Jeep Grand Cherokee, and knowingly and intentionally possessed with intent to distribute controlled substances, in violation of 21 U.S.C §§ 846, 841(a)(1), in his CubeSmart Storage Unit at 2135 South Sprinkle Rd, Kalamazoo MI, Unit C140.

### **Background**

5) Marquice Ebon CHANCE is a 36-year-old resident of Portage, MI. CHANCE has numerous felony convictions to include:

- a) 2007 – Purchase, possession, manufacture, distribution of marijuana (State of Georgia)
- b) 2008 – Aggravated assault (Ct 1); willful obstruction of police by threat or violence (Ct 2) (State of Georgia)
- c) 2011 – Fleeing and eluding (State of Georgia)
- d) 2014 – Possession of cocaine (State of Georgia)

6) CHANCE is currently on Michigan Department of Corrections (“MDOC”) probation in Wayne County, MI for violation of the Michigan Taxation and Marijuana Act (MCL 33.279654) for possession/cultivation/delivery without remuneration of marijuana.

### **Probable Cause**

7) Since September 2023, the Kalamazoo Valley Enforcement Team (KVET) and Drug Enforcement Administration (DEA) have been investigating CHANCE and his involvement in the distribution of methamphetamine. This

began with information from KVET CS #2150<sup>1</sup> (hereinafter “KVET CS-1”) who stated CHANCE was from Atlanta, Georgia, using phone number 404-884-6568 to sell large amounts of methamphetamine. KVET CS-1 positively identified this individual as Marquice Ebon CHANCE. KVET CS-1 also stated that CHANCE was currently on his way back from Atlanta to Kalamazoo, Michigan with methamphetamine.

8) Between September 10, 2023, and September 13, 2023, KVET investigators conducted electronic and physical surveillance of CHANCE. KVET investigators had began receiving cell phone location data from CHANCE which indicated he was in Atlanta, Georgia. On or about September 13, 2023, CHANCE began traveling back towards Kalamazoo, Michigan and at approximately 4:35pm on September 13, 2023, KVET investigators observed CHANCE return to 4558 Pinefield Ave, Portage, Michigan. KVET investigators observed CHANCE removing items from his car and carrying these items into the house through an open garage door.

9) On January 2, 2024, KVET CS #2192<sup>2</sup> (hereinafter “KVET CS-2”) told

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<sup>1</sup> KVET CS #2150 has conducted three successful controlled buys under the control of KVET and has provided information to KVET handlers on over 25 occasions. The information from KVET CS #2150 has been deemed credible and reliable and the CS's cooperation has led to seizures of controlled substances and firearms. The CS is working with KVET for consideration in pending criminal charges.

<sup>2</sup> KVET CS #2192 has conducted three successful controlled buys under the control of KVET and has provided information to KVET handlers on over 30 occasions. The information from KVET CS #2192 has been deemed credible and reliable and the CS's cooperation has led to seizures of controlled substances and firearms. The CS is working with KVET for consideration in pending criminal charges.

KVET investigators that a “Scooter” was from Atlanta, Georgia was selling large amounts of methamphetamine in Kalamazoo, Michigan and was currently driving a black or dark grey Jeep Grand Cherokee rental vehicle. KVET CS-2 also stated “Scooter” was using phone number 404-884-9568. KVET CS-2 also positively identified “Scooter” as Marquice Ebon CHANCE.

10) On January 3, 2024, investigators obtained phone records and subscriber information for 404-884-9568 and found the phone number to be subscribed to “Marquice Chance Young Bird Films LLC.”

11) On January 10, 2024, investigators observed a dark grey Jeep Grand Cherokee backed into the garage at 4558 Pinefield Ave, Portage, MI. This vehicle had Michigan registration “ETE9590,” which was determined to be a rental car owned by EAN Holdings. KVET investigators contacted EAN Holdings, and learned this vehicle was rented by “J.G.”, whom investigators had previously observed with CHANCE and believe to be his fiancé.

12) KVET investigators spoke with CHANCE’S probation officer, who verified that 4558 Pinefield Ave, Portage, Michigan is CHANCE’S listed address for his probation with the Michigan Department of Corrections (MDOC.)

13) On January 11, 2024, KVET CS-2 contacted investigators and advised that CHANCE was preparing to travel to Atlanta, Georgia to get more methamphetamine to transport back to Kalamazoo, Michigan.

14) On January 12, 2024, CHANCE’S cell phone, which was still subject to cellular location monitoring (GPS ping data), appeared to be traveling towards

Atlanta, Georgia and subsequently stopped in Atlanta, Georgia that same evening.

15) On January 16, 2024, cellular location monitoring (GPS ping data) showed that CHANCE and his cell phone were travelling back north towards Michigan. At approximately 8:35pm, investigators located the rental 2023 Jeep Grand Cherokee, Michigan registration ETE9590, traveling northbound on interstate 69 approaching interstate 94.

16) Investigators continued surveillance of CHANCE as he arrived in Kalamazoo, Michigan and watched him drive to the CubeSmart storage complex at 2135 S Sprinkle Road. CHANCE pulled up in front of unit C140 (hereinafter "Storage Unit C140") and surveillance teams watched CHANCE shoveled snow away from the roll-up door and enter/exit the unit several times before leaving.

- a) I know based on my training and experience that drug traffickers will frequently utilize storage units as a location to store controlled substances. These are locations in/at which no one resides and can be put into the names of other associates or family members to avoid detection from law enforcement.
- b) Furthermore, in my training and experience I found it significant that Storage Unit C140 appeared to be the first location CHANCE stopped at after traveling over 12 hours from Atlanta, Georgia.

17) Shortly after arriving in Kalamazoo, Michigan, and Storage Unit C140, KVET CS-2 contacted investigators and stated s/he had spoken to CHANCE who advised KVET CS-2 that he now had methamphetamine for sale.

18) Withing 24 hours of CHANCE's return to Kalamazoo, Michigan and stopping at Storage Unit C140, investigators arranged for the purchase of

methamphetamine from CHANCE with KVET CS-2. KVET CS-2 contacted CHANCE by telephone and placed the order. Surveillance was already being conducted of CHANCE who, after receiving the order from KVET CS-2, went to Storage Unit C140 for a short period of time, and then left. CHANCE proceeded to another location for a short period of time, and then to the pre-determined deal location where CHANCE met with KVET CS-2 and exchanged money for methamphetamine. A presumptive field test was conducted on the purchased methamphetamine which yielded a positive result. The methamphetamine is currently at the DEA laboratory for additional testing. Investigators lost sight of CHANCE, however approximately 45-minutes after the controlled buy, electronic location monitoring of his cell phone put him in the geographical area of his residence at 4558 Pinefield Avenue, Portage, Michigan. He stayed at the residence overnight.

19) On January 17, 2024, through a DEA/DOJ administrative subpoena, investigators obtained a “rent roll” from CubeSmart and found that Storage Unit C140 was rented to “Davon Griggs” (D.O.B. 5/4/1998), with a listed phone number of 470-430-9773. Investigators believe that the name Davon Griggs is fictitious because a Davon Griggs with that date of birth could not be located or identified in any law enforcement databases. However, the phone number associated with Storage Unit C140 (470-430-9773) is the same phone number that CHANCE provided to his MDOC probation agent as is contact number and the same phone number listed on his MDOC offender information.

20) During the late evening hours of January 17, 2024, and into the early morning hours of January 18, 2024, KVET and DEA investigators executed State of Michigan search warrants<sup>3</sup> at CHANCE's residence at 4558 Pinefield Ave, Portage, Michigan; CHANCE's storage unit at 2135 S Sprinkle Rd, Unit C140, Kalamazoo, Michigan; CHANCE's person; and CHANCE's 2023 rental Jeep Grand Cherokee, Michigan registration ETE9590.

21) At approximately 11:11pm, CHANCE was returning to 4558 Pinefield Ave, Portage, Michigan while driving the 2023 Jeep Grand Cherokee rental, backing into the driveway. CHANCE was in the driver's seat of the Jeep, J.G. was seated in the front passenger seat, and there were two infant children in the backseat. KVET investigators contacted the vehicle and detained CHANCE.

22) During a search of the vehicle investigators located, in pertinent part:

- a) Small black over-the-shoulder sling bag which contained a Glock 43, 9mm handgun. This was found on the driver's side floorboard where CHANCE had been seated.
- b) Loaded black Glock 9mm magazine in the glove box.
- c) Black bag containing a large amount of US Currency on front passenger seat. Prerecorded funds from the controlled purchased with KVET CS-2 (paragraph 18, *supra*) was found intermixed with this currency.

23) Investigators also searched 4558 Pinefield Ave, Portage, Michigan. As police entered the residence to conduct their search, they encountered K.H. K.H. was detained pending the completion of the search. During the search of 4558 Pinefield

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<sup>3</sup> On January 17, 2024, KVE Inv Ben Ulman obtained a State of Michigan search warrant for the listed locations/person/vehicle signed by Kalamazoo District Court Judge Beckett Jones.



Ave, Portage, Michigan, investigators located, in pertinent part:

- a) Digital scale and baggie of 19.22 grams of fentanyl in a white coat in the kitchen.
- b) Baggie of 5.67 grams of fentanyl in a men's Zara coat in the living room closet.
- c) A second Glock43 handgun, Glock magazine, loose ammunition in gun case in the living room closet.
- d) Baggie with 44.54 grams of methamphetamine in the basement and several bags of suspected marijuana
- e) \$1,585 US Currency in the basement and jar from the upstairs closet.
- f) Additional drug trafficking equipment, including: a Pyrex container with white residue, foodsaver bags, sandwich bags, money/cash counter, latex gloves, additional digital scales, respirators.

24) During a search of the storage unit C140, investigators located:

- a) Plastic tote containing 8 grocery bags, containing 8 gallon-ziplocs of methamphetamine and one small, knotted baggie with suspected methamphetamine. Those controlled substances are pictured below:



- b) Ziploc with 169.11 grams of fentanyl.
- c) Knotted baggie 35.48 grams of crystal methamphetamine
- d) Box containing 1,000 rounds of .223 ammunition.
- e) 19 boxes of 9mm ammunition.
- f) Over \$120,000 in counterfeit "motion picture" US currency.
- g) Documents for Marquice CHANCE.
- h) Box containing fraudulent identification cards, including four bank cards and two social security cards.
  - (i) Six of the fraudulent identification cards in the unit appeared to have CHANCE's image on them, a seventh card displayed both his image and name.
- i) Additional drug trafficking equipment including digital scales, 20 g standard weight, mixing cup, zip, supplement container with

crystalline cutting agent, Foodsavers, blenders, bags with caffeine powder (known cutting agent), 2 presses.

25) Investigators also located a set of keys on the kitchen/dining room table at 4558 Pinefield Ave. These keys were taken to storage unit C140 and one of the keys successfully unlocked the lock which had been affixed to Storage Unit C140.

26) CHANCE was read his *Miranda* warnings and initially agreed to speak with investigators. Upon mention of the storage unit, CHANCE denied having a storage unit. CHANCE was then told by investigators that they knew he had a storage unit, at which point he requested to speak with his attorney.

27) J.G. was read her *Miranda* rights, which she waived. J.G. admitted that she and CHANCE had two young kids together. She said that CHANCE lived with her at 4558 Pinefield “most of the time.” She also admitted to traveling to Atlanta with CHANCE. J.G. stated that she and CHANCE have various investments, which is where their money comes from. J.G. told investigators that she has not worked for the last year and a half.

28) Before KVET investigators began their interview of K.H., CHANCE was overheard telling K.H., “Don’t fold, my boy.” K.H. was read his *Miranda* rights, which he waived. He told investigators that he lived at 4558 Pinefield for “the last few days.” He claimed that he stayed on the downstairs couch and had a backpack with marijuana in it. When asked about methamphetamine, K.H. denied having any methamphetamine. K.H. admitted that he went to Atlanta with CHANCE on the most recent trip. K.H. described the storage unit with the roll up front door and

admitted that he had been to the unit before, but never inside.

29) An ATF nexus examiner reviewed the Glock 43 9mm pistol which was found in the bag near CHANCE'S feet (see paragraph 22(a), *supra*). The nexus expert determined that the firearm was manufactured and/or distributed outside the State of Michigan. When police found the black bag in the driver's seat footwell of the Jeep, but before they opened the bag revealing a Glock pistol hidden inside, CHANCE told police, "it's legal, it's my girl's."

30) CHANCE was arrested on State of Michigan charges for controlled substance trafficking and firearms possession and lodged at the Kalamazoo County Jail.

### **Conclusion**

31) Based on the above information, there is probable cause to believe that on or about January 17, 2024, in Kalamazoo County, in the Western District of Michigan, Marquice Ebon CHANCE: knowingly and intentionally possessed with intent to distribute controlled substances, in violation of 21 U.S.C §§ 846, 841(a)(1), at his residence at 4558 Pinefield Ave, Portage, MI, illegally possessed a firearm as convicted felon, in violation of 18 U.S.C § 922(g)(1) while driving his rental 2023 Jeep Grand Cherokee, and knowingly and intentionally possessed with intent to distribute controlled substances, in violation of 21 U.S.C §§ 846, 841(a)(1), in his CubeSmart Storage Unit at 2135 South Sprinkle Rd, Kalamazoo MI, Unit C140.